

TAB I

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

JACOB SMITH,)	Case No. 2:20-cv-03755
)	
Plaintiff,)	
)	Judge Edmund A. Sargus
v.)	Magistrate Judge Kimberly A. Jolson
)	
FIRSTENERGY CORP., <i>et al.</i> ,)	
)	
Defendants.)	
)	
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JAMES BULDAS,)	Case No. 2:20-cv-03987
)	
Plaintiff,)	Judge Edmund A. Sargus
)	Magistrate Judge Kimberly A. Jolson
v.)	
)	
FIRSTENERGY CORP., <i>et al.</i> ,)	
)	
Defendants.)	
)	
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BRIAN HUDDOCK and CAMEO)	Case No. 2:20-cv-03954
COUNTERTOPS, INC.,)	
)	Judge Edmund A. Sargus
Plaintiffs,)	Magistrate Judge Kimberly A. Jolson
)	
v.)	
)	
FIRSTENERGY CORP., <i>et al.</i> ,)	
)	
Defendants.)	
)	

**DECLARATION OF DANIEL R. KARON IN SUPPORT OF AWARD OF ATTORNEYS'
FEES, REIMBURSEMENT OF EXPENSES, AND AWARD OF INCENTIVE
PAYMENTS TO CLASS REPRESENTATIVES**

I, Daniel R. Karon declare as follows:

1. I am an attorney licensed to practice before the courts of Ohio and am owner of the law firm Karon LLC. I have personal knowledge of the facts stated in this Declaration and, if called as a witness, I would testify competently to them. I make this Declaration in support of Karon LLC's request for attorneys' fees and reimbursement of litigation expenses, as set forth in Class Plaintiffs' Unopposed Motion For Award of Attorneys' Fees, Costs, and Incentive Awards To Class Representative Plaintiffs (the "Fee Motion") (ECF No. 145).

2. I am counsel of record for Plaintiff Michael Emmons in a class action lawsuit pending in the Cuyahoga County Court of Common Pleas styled *Emmons v. FirstEnergy Corp.*, Case No. CV-20 935557.

3. A brief description my firm, which includes a short summary of my experience and credentials, is attached as Exhibit 1 and incorporated herein by reference.

4. Throughout the course of this litigation, my firm kept files contemporaneously documenting all time spent, including tasks performed, and expenses incurred, and shared those reports on a regular basis with James L. Ward, Jr., who is Class Counsel for the Settlement Class along with Dennis E. Murray, Jr. and Marvin A. Miller. See ECF No. 142 (preliminary approval order appointing Messrs. Murray, Miller, and Ward as Class Counsel). All the time and expenses reported by my firm advanced the tremendous class-wide result achieved in this case.

5. Such work included formulating case theory, working with experts, attending court hearings, reviewing documents, conducting legal research, drafting briefs, and participating in mediation and settlement negotiations.

6. The schedule attached as Exhibit 2, and incorporated herein, is a summary of the amount of time spent by my firm's partners, attorneys, and professional support staff who were involved in this litigation. It does not include any time devoted to preparing this Declaration or

otherwise pertaining to the Fee Motion. The lodestar calculation is based on my firm's billing rates in effect at the time services were performed. Exhibit 2 was prepared from contemporaneous time records regularly prepared and maintained by my firm. Those records have been provided to Class Counsel, and I authorize them to be submitted for inspection by the Court if necessary. The hourly rates for my firm's partners, attorneys, and professional support staff included in Exhibit 2 were, at the time the work was performed, the usual and customary hourly rates charged for their services in similar complex litigation.

7. The total number of hours reasonably expended on this litigation by my firm from inception through July 31, 2022, which does not include time spent preparing this Declaration or preparing the Fee Motion, is 201.90 hours.

8. My firm incurred a total of \$0.00 in unreimbursed expenses.

9. In the event my firm provides additional services or incurs additional costs, I will supplement this declaration.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 10th day of October, 2022, in Cleveland, Ohio.

s/ Daniel R. Karon

Daniel R. Karon

KARON LLC
EXHIBIT 1

Mr. Karon is a class-action trial attorney specializing in antitrust, consumer-fraud, and wage-and-hour litigation. He began his class-action career with Much Shelist Freed Denenberg Ament & Rubenstein, P.C. in Chicago. He graduated Indiana University and The Ohio State University Moritz College of Law. He now manages Karon LLC. He represents individuals in antitrust, consumer-fraud, wage-and-hour, and other class-actions, and he has represented domestic and international corporations in domestic and international antitrust class-action matters. He also defends corporations in consumer-fraud and antitrust class actions.

Mr. Karon teaches consumer law at the University of Michigan Law School and The Ohio State University Moritz College of Law and taught complex litigation at Columbia Law School. He has taught class actions at Cleveland State University's Cleveland-Marshall College of Law. He lectures on class-action law at multiple other law schools and serves on Loyola University Chicago School of Law's Institute for Consumer Antitrust Studies' U.S. Advisory Board. He chairs the ABA's National Institute on Class Actions, writes a bimonthly column for Law360, was an editorial board member and contributing author to the ABA's Litigation Section's *Class Actions Today-Jurisdiction to Resolution* magazine, was a member of the Ohio Association of Justice's Board of Trustees, and served as an editorial board member for the Ohio Academy of Justice's *Ohio Trial* magazine. He has published multiple law review and bar journal articles on class-action topics, and he lectures nationally on class actions for the ABA and other bar associations.

In addition to various antitrust and consumer-fraud class actions, Mr. Karon was extensively involved in the *LCD-TFT Indirect Purchaser Antitrust Litigation* (nationwide price-fixing class action that settled for \$1.1 billion), *Vitamins Direct Purchaser Antitrust Litigation* (nationwide price-fixing class action that resolved for \$2 billion), *NASDAQ Market-Makers Antitrust Litigation* (nationwide price-fixing class action that settled for \$1.027 billion), *Cathode Ray Tubes (CRT) Antitrust Litigation* (nationwide price-fixing class action that settled for \$500 million), *Monosodium Glutamate Antitrust Litigation* (nationwide price-fixing class action that settled for \$130 million), *Methionine Antitrust Litigation* (nationwide price-fixing class action that settled for \$101 million), and *Sorbates Direct Purchaser Antitrust Litigation* (nationwide price-fixing class action that settled for \$94.5 million). He serves or served as lead counsel in multiple cases, including *Magnesium Oxide Antitrust Litigation*, *Aftermarket Sheet Metal Indirect Purchaser Antitrust Litigation*, *City of Lorain v. Medical Mutual Insurance Co.*, *Dairy Indirect-Purchaser Antitrust Litigation*, *Johnson v. Evangelical Lutheran Church of America*, *Schwartz v. Avis Rent-A-Car Corp.*, *Klein v. Budget Rent-A-Car Group*, *Bausch & Lomb Contact Lens Product Liability Litigation*, *Roth v. Life Time Fitness*, and *Schwartz v. Alltel Corp.* He is on the executive committee in the *Beef Antitrust Litigation*, was discovery co-chair in the *Bulk Graphite Antitrust Litigation*, class-certification co-chair in the *Pressure Sensitive Labelstock Antitrust Litigation*, and briefing co-chair in the *EPDM Antitrust Litigation* and *Carbon Black Antitrust Litigation*.

EXHIBIT 2

Karon LLC
Summary by Timekeeper and Activity
04.21.2021 thru 07.31.2022

Timekeeper: Daniel R Karon

Category	Rate	Time
Total		
Correspondence, Litigation Strategy & Analysis with lead counsel or at lead counsel's direction	\$845	113.90
\$96,245.50		
Total	\$845	113.90
\$96,245.50		

Timekeeper: Beau D. Hollowell

Category	Rate	Time
Total		
Correspondence, Litigation Strategy & Analysis with lead counsel or at lead counsel's direction	\$680	88.00
\$59,840.00		
Total	\$680	88.00
\$59,840.00		

Karon LLC Total

Time	Total
201.90	\$156,085.50